

REMARKS

Amendments to the claims

Claims 1, 4, 10, and 27 have been amended as indicated herein above. Support for the amendments to claims 1, 4, 10, and 27 is found at least in the claims of the specification as originally filed. No new matter has been introduced by way of the amendments to the claims.

Request for Withdrawal of Final Rejection:

The Applicant notes that the Examiner may withdraw the rejection of finally rejected claims if new facts or reasons are presented such as to convince the Examiner that the previously rejected claims are in fact allowable. (MPEP 706.07(e).) Accordingly, the Applicant hereby requests withdrawal of the final rejections of claims 1, 4-5, 7-10, 12-16, and 27 in view of the Applicant's reasons set forth below, and in view of the amendments to the claims as indicated herein above, which amendments the Applicant believes now place claims 1, 4-5, 7-10, 12-16, and 27 in condition for allowance.

Rejection of Claims under 35 U.S.C. § 103(a)

Claims 1-4, 6-13, 15, 16, and 25-27 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the admitted prior art (Applicant's background section) in view of any one of U.S. Patent No. 3,664,912 ("Olson"), JP 08052827 ("Osogoshi et al."), or GB 1289387 ("Sendor et al.").

Claims 2-3, 6, 11, and 25-26 have been canceled as indicated herein above, and the rejections of those claims are now moot.

Of the remaining claims, the Applicant notes that claims 1, 10, and 27 are independent claims, while claims 4, and 7-9 depend from claim 1, and claims 12-13, and 15-16 depend from claim 10. Thus, if claim 1 is nonobvious, then it follows that

1 claims 4 and 7-9 are also nonobvious. Likewise, if claim 10 is nonobvious, then it
2 follows that claims 12-13, and 15-16 are also nonobvious.

3 As the Applicant has already noted in responses to previous office actions
4 issued in regard to this application, a *prima facie* case of obviousness requires that
5 "the prior art reference (or references when combined) must teach or suggest all the
6 claim limitations."

7 The Applicant has amended claims 1, 10, and 27 to each now include at least
8 the following limitation:

9 Wherein the binding energy comprises ultrasonic energy.

10 The Applicant contends that none of the prior art references (either
11 individually or when combined) teach or suggest the above limitation that is now
12 included in claims 1, 10, and 27. The Applicant also notes that the Examiner has not
13 contended that any of the prior art references teach or suggest the above limitation
14 that is now included in claims 1, 10, and 27.

15 Accordingly, the Applicant contends that the amendments to claims 1, 10, and
16 27 serve to overcome the obviousness rejections of those claims because none of
17 the prior art references (either individually or when combined) teach or suggest the
18 above limitation, which is now included in those claims.

19 As noted above, the amendments to claims 1 and 10 also serve to overcome
20 the obviousness rejections of claims 4, 7, 8, 9, and 12, 13, 15, 16 because these
21 claims depend from claims 1 and 10, respectively.

22 The Applicant therefore respectfully requests that the rejections of claims 1, 4,
23 7-10, 12-13, 15-16, and 27 be withdrawn and that the claims be allowed.

25 **SUMMARY**

The Applicant believes that this response constitutes a full and complete
response to the Final Office Action. The Applicant respectfully requests

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1 reconsideration of claims 1, 4, 7-10, 12-13, 15-16, and 27 in view of the amendments
2 to claims 1, 10, and 27 as presented herein above, which amendments the Applicant
3 believes places claims 1, 4, 7-10, 12-13, 15-16, and 27 in condition for allowance.

4 The Examiner is respectfully requested to contact the below-signed
5 representative if the Examiner believes this will facilitate prosecution toward
6 allowance of the claims.

7 Respectfully submitted,

8 Roland BOSS

9 By

10 Thomas Olson

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13 Date: March 10, 2005

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